

Docket No.
405507/0051

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Noboru Asauchi**

Group Art Unit: **2625**

Application No.: **09/893,685**

Examiner: **King Y. Poon**

Filed: **June 29, 2001**

Confirmation No.: **9428**

For: **ACCESS TO PRINTING MATERIAL CONTAINER**

Date: **July 6, 2007**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action of the United States Patent and Trademark Office dated June 13, 2007, Applicant elects the invention defined by the Office Action as Group I (the other defined Groups are Groups II and III). The Office Action identified Group I as corresponding to claims 3-11, 19-28 and 38-43 (the Office Action actually referred to claims 9-11, but it is clear "9" should have read --3--, since claims 9-11 all ultimately depend from claim 3, and claims 3-8 are not included in any of the other Groups).

Applicant notes that this application was subject to a prior Restriction Requirement in the Office Action dated November 2, 2005, which deemed this application to present only two different inventions, Groups I and II. In response, on December 1, 2005, Applicant elected the Group I invention, which that earlier Office Action had identified as corresponding to claims 1-11, 19-28, 38-43, 50-69 and 76.

Since the two Restrictions Requirements are inconsistent (the earlier said this case presents two inventions, the latter said the case presents three inventions), it is clear that one of those Restriction Requirements must be in error.

The undersigned brought this discrepancy to the Examiner's attention in a telephone call on June 19, 2007. On June 21, 2007, the Examiner advised the undersigned that the Restriction Requirement of November 2, 2005, was in error due to the erroneous formulation of Groups.

Given the admission that the first Restriction Requirement was erroneous, Applicant requests that the earlier Restriction Requirement be deemed vacated and treated as having no effect.

Lastly, Applicant wishes to point out that all of the elected claims, claims 3-11, 19-28 and 38-43, were allowed in the Notice of Allowance dated November 17, 2006. Save for the presentation of claim 3 in independent form, which did not alter the scope of that claim, those claims have been maintained unchanged. It is therefore respectfully submitted that this application is in condition for allowance.

No fees are believed to be due in connection with the filing of this paper. If, however, the Commissioner deems any fees to be now or hereafter due, the Commissioner is authorized to charge all such fees to Deposit Account No. 19-4709.

Favorable consideration and prompt allowance of this application are respectfully requested. If there are any questions, or should additional information be required, please contact Applicant's attorney at the number listed below.

Respectfully submitted,

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